

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, APRIL 3, 2017 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Gaylor Baird; Council Members: Christensen, Eskridge, Lamm, Raybould; Absent: Camp, Fellers; City Clerk: Teresa Meier.

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

ESKRIDGE Having been appointed to read the minutes of the City Council Proceedings of March 27, 2017, reported having done so, found same correct.

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Beutler presented the Honorable Mention Award for 2016 to Lincoln Police Investigator, Robert Hurley from the Police Administrative Support Division. Investigator Hurley has been with the Lincoln Police Department since 1991 and was previously nominated in the category of productivity by Sergeants Ken Koziol and Mike Ripley for his work in several criminal cases. As a veteran criminal investigator, Officer Hurley specializes in cellular phones and retrieving information. On one specific case, potential witnesses at the scene of a homicide refused to identify the victim and possible suspects. Investigator Hurley found a cell phone and quickly analyzed its contents. The content of the cell phone quickly identified the victim and included incriminating text with the initials of a suspect which led to the arrest of the suspect within hours of the homicide. Further efforts led to the arrest of three others and the recovery of the gun involved. During the course of the investigation, Investigator Hurley wrote 5 search warrants, served 46 subpoenas, searched and downloaded 7 cell phones, and contacted several cell phone companies to coordinate with them and save records for 8 cell phones. This is just one example of Officer Hurley willingness to keep our community safe.

Jeff Bliemeister, Chief of Police, came forward and shared he has had the opportunity to work with Officer Hurley in a different capacity long before he became Chief, and he feels Officer Hurley provides outstanding work to the citizens.

Officer Robert Hurley came forward and thanked Chief Bliemeister, Tom Casady, Assistant Chief Jackson and his family.

Mayor Beutler presented the Mayor's 2016 Annual Award of Excellence to Jason Stege with Public Works & Utilities - Startran. Jason was nominated by Bus Operations Superintendent, Mike Weston in the category of valor for his heroic efforts on the evening of November 3<sup>rd</sup>. Jason was driving a Startran van north on 10<sup>th</sup> Street in heavy traffic. When he reached A Street, a young child, 2 or 3 years of age, ran into the street. Jason immediately stopped to block the traffic, honked his horn, and jumped out the bus to protect the child. Once the child was safe, Jason then took the time to reassure another driver who almost hit the child before leaving the scene. Jason will receive a \$250 gift certificate, 2 days off with pay, a plaque and the thanks for the community.

Mike Weston, Bus Operations Superintendent, came forward and shared that he heard about this incident through a Facebook post from a person who witnessed this. Jason comes to work everyday and does an excellent job and the department is extremely proud of him.

Miki Esposito, Director of Public Works, came forward and expressed her gratitude towards Mr. Stege.

Jason Stege came forward and gave thanks for his award and thanked his family.

**PUBLIC HEARING**

APPLICATION OF HY-VEE INC. DBA HY-VEE RESTAURANT 5 FOR A CLASS I LIQUOR LICENSE AT 7151 STACY LANE;

MANAGER APPLICATION OF ROBERT A. REIF FOR HY-VEE INC. DBA HY-VEE RESTAURANT 5 AT 7151 STACY LANE - Rob Reif, 7151 Stacy Lane, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF MCFARLAND FAMILY FARMS, LLC DBA MAC'S CREEK VINEYARDS & WINERY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT HAYMARKET FARMERS MARKET AT CANOPY STREET AND Q STREET ON MAY 6, 20, & 27; JUNE 3, 17, & 24; JULY 15, 22, & 29; AND AUGUST 5, 19, & 26, 2017 BETWEEN 8:00 A.M. AND NOON;

**REGULAR MEETING**  
**APRIL 3, 2017**  
**PAGE 322**

APPLICATION OF MCFARLAND FAMILY FARMS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER BOULEVARD ON MAY 20, 2017 BETWEEN 3:00 P.M. AND 11:00 P.M. - Abbey McFarland, 43315 Rd 757, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT HAYMARKET PARK AT 403 LINE DRIVE CIRCLE ON MAY 25, 2017 BETWEEN 6:00 P.M. AND 11:00 P.M. - Taylor Wyatt, 927 N. 86<sup>th</sup> Street, Coordinator of the event for Haymarket Park, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 556 FEET BY 525 FEET AT PERSHING CENTER AT 226 CENTENNIAL MALL SOUTH ON JUNE 30, 2017 BETWEEN 8:00 A.M. AND 1:00 A.M. - Tom Lorenz, General Manager of Pinnacle Bank Arena, applicant, came forward and requested approval.

APPLICATION OF MORAN'S LIQUOR WORKS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 45 FEET AT 3400 A STREET ON APRIL 20; MAY 13, 14, 15, 16, 17, & 18; JUNE 15; JULY 20; AUGUST 17; AND SEPTEMBER 21, 2017 BETWEEN 3:00 P.M. AND 7:00 P.M. - Eric Bahm, 3710 LaSalle St, applicant, came forward and requested approval.

Jane Raybould, Council Member, inquired about the safety concerns.

Mr. Bahm stated Building and Safety was able to give guidelines and they have met the guidelines. Discussion followed.

This matter was taken under advisement.

APPLICATION OF EMPYREAN BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 70 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 50 FEET BY 50 FEET AT 300 SOUTH 7<sup>TH</sup> STREET ON APRIL 20; MAY 18; JUNE 15; JULY 20; AUGUST 17; AND SEPTEMBER 21, 2017 BETWEEN 5:00 P.M. AND 11:00 P.M. - Jim Engelbart, 3340 Franklin, applicant, came forward and requested approval.

This matter was taken under advisement.

AMENDING THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL REGULATIONS AND STANDARDS TO ASSURE CONSISTENCY WITH FEDERAL AND STATE AIR QUALITY REGULATIONS. (3/20/17 - INTRODUCTION DELAYED 1 WEEK TO 3/27/17) - Judy Halstead, Director of Lincoln-Lancaster Health Department, came forward and explained the changes are to be consistent with State and Federal changes. Most of the changes are format changes and grammatical errors. There is one policy change regarding ease of the regulated sources. This is to make it easier for their sources to participate in a general construction permit. Nebraska Department of Environmental Quality has this opportunity for those sources that are applying to them and we need this same process in place. This will simplify the public notice process. Discussion followed.

Terri Pope-Gonzalez, 349 S. 1<sup>st</sup> Street, came forward and made a number of statements.

This matter was taken under advisement.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN POLICE UNION (LPU) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2019 - Doug McDaniel, Director of Human Resources, came forward and shared this covers a 3 year term with the Lincoln Police Union, who represents just under 300 uniformed officers. The changes consist of year one being at a 3% increase, year two being at a 3.25% increase, and year three being at a 3% increase in wages. There is an increase in the longevity pay and a change in the percentage in health insurance. Single coverage decreases from 98% of City share to 92%. Two, four and family share increases from 80% to 83%. There are some language changes and shift differential changes.

Roy Christensen, Council Member, asked for comment on schedule alignments and how this does not line up with the 2 year budget cycle.

Mr. McDaniel stated as they tried to align with the 2 year biennial this will be off a year, but it still gives the opportunity to know they have 3% coming in the budget that can be counted on, rather than speculated on. Discussion followed.

Terri Pope-Gonzalez, 349 S. 1<sup>st</sup> Street, came forward and made a number of statements.

This matter was taken under advisement.

APPROVING THE 9<sup>TH</sup> AND O REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND HLI DEVELOPMENT, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY BOUNDED BY 9<sup>TH</sup> STREET ON THE WEST, 10<sup>TH</sup> STREET ON THE EAST, AND O STREET ON THE NORTH. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17); AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$14,013,514 IN TIF FUNDS AND \$2,350,000 IN EEA FUNDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17); AUTHORIZING A TWO PERCENT (2%) OCCUPATION TAX, EFFECTIVE JANUARY 1, 2020, ON GROSS RECEIPTS FOR THE OPERATION OF A GENERAL BUSINESS WITHIN THE DESIGNATED ENHANCED EMPLOYMENT AREA TO BE USED TO PAY FOR CONSTRUCTION AND OPERATION OF TWO HOTELS TO BE LOCATED WITHIN THE 9<sup>TH</sup> AND O REDEVELOPMENT AREA. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49); AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49); AUTHORIZING THE ISSUANCE OF OCCUPATION TAX REVENUE BONDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - Dallas McGee, Urban Development, came forward and shared the private property that is part of this project is just the development side, but it is including the right-of-way that surrounds the block. This project will consist of 15 to 17 stories. This is a mixed use development with two hotels, condominium housing and a parking garage. The first floor will be retail and hotel lobby. The total investment is estimated around \$72 million. The City will assist in two ways: with an estimate between \$10 and \$11 million in TIF for public improvements and public enhancements, and \$2.35 million of EEA funding. The EEA will be based on 2% of hotel and ballroom revenue and will not impact other businesses in the area. Discussion followed.

Hallie Salem, Urban Development, came forward and said the TIF uses would mainly be for site acquisition, facade enhancements, utility relocation improvements, streetscape and right-of-way improvements.

Carl Eskridge, Council member, asked for the current value of the property.

Ms. Salem confirmed the value of the property is \$1.1 million and the expected value to not contest any taxable valuation is \$48.9 million for the 15 ~~levels~~ stories.

Leirion Gaylor Baird, Council Chair, asked for clarification on the site acquisition costs and difference in the value of the property.

Ms. Salem stated the actual site acquisition is about \$3 million and they did not want to use the TIF for all the acquisition, which was split between the EEA and TIF.

Mark Hunzeker, Baylor Evnen, 1248 O Street, Suite 600, appeared on behalf of HLI LLC and stated this building will define the entry way to Lincoln. This will help with upscale Downtown living units and will help with a different demographic to Downtown living. The EEA will be a tax that is applied only on businesses who are part of this project.

Mr. Eskridge asked what the average square foot of the condos will be and will the ballroom be affiliated with the hotels or will it be a separate entity.

John Klimpel, 5930 S. 114 Street, came forward and said they could vary from 1100, 1500 and 1800 square feet. There will be one bedrooms, 2 bedrooms, and some 3 bedrooms. The ballroom will be identified as Indigo.

Cyndi Lamm, Council Member, inquired about catered events for the ballroom and if an outside catering company came in would there be an occupation tax on those caterers.

Mr. Klimpel stated they will not allow outside caterers to provide food for the establishment. That will be done in house.

Jane Kinsey, Watchdogs of Lincoln Government, came forward in opposition to the use of TIF and EEA funds.

Mike Lange, Mayor's Office, came forward and stated they do a lot of due diligence before getting to the point of accepting or doing an analysis of the occupation tax. For this project, it is well within the parameters of the State Law, which will allow them to move forward, and it meets all requirements that are required in the Statute. There are a lot of stipulations that set the bar high which would prevent the EEA from becoming a trend. There is a private investment benchmark of \$50 million. There also must be a strong retail base present. The economic benefits with this project are strong and they suggest moving forward because all the needs are met and there is a benefit to Lincoln.

Mr. Eskridge addressed the concern of Ms. Kinsey regarding the 2% occupation tax that applies and the 2% arena tax and if both would apply.

Rick Peo, City Attorney, came forward and explained they are not allowed to tax the restaurant both taxes, the use of the EEA tax would apply to the ballroom and the hotels. There might be a little overlap, but this only would apply to this project.

Richard Halvorsen, 6311 Inverness Rd, came forward in opposition.

Mr. Hunzeker pointed out that everything within this project matches the definitions within the procedures that are in both the use of TIF and the EEA. The restaurant within the hotel will not be paying the EEA. They will be paying only the arena tax. The bonds are purchased by the developer and this is not a general obligation bond by the City. Discussion followed.

This matter was taken under advisement.

## COUNCIL ACTION

### REPORTS OF CITY OFFICERS

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND J&M DISPLAYS, INC. FOR INDEPENDENCE DAY FIREWORKS DISPLAY, PURSUANT TO BID NO. 16-263, FOR A TERM BEGINNING UPON EXECUTION OF THE CONTRACT THROUGH DECEMBER 1, 2017 WITH THE OPTION TO RENEW FOR ONE ADDITIONAL THREE YEAR TERM - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90344 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract between the City of Lincoln and J&M Displays, Inc. for Independence Day Firework Display, pursuant to Bid No. 16-263, for a term beginning upon execution of the contract through December 1, 2017, with the option to renew for one (1) additional one (3) year term, upon the terms and condition as set forth in said Contract, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED FEBRUARY 28, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90345 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended February 28, 2017 \$135,569.40 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

REPORT FROM THE CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS FEBRUARY 28, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, APRIL 17, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF KEVIN S. DROUGHT FOR RED ROBIN INTERNATIONAL INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS & SPIRITS AT 2707 PINE LAKE ROAD - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90346 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Kevin S. Drought for Red Robin International Inc. dba Red Robin America's Gourmet Burgers & Spirits at 2707 Pine Lake Road.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

SETTING THE HEARING DATE OF MONDAY, APRIL 17, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF JOSEPH M. HOLMES FOR MVPZ AND ME-LINCOLN LLC DBA BURGERFI AT 300 CANOPY STREET, SUITE 150 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90347 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Joseph M. Holmes for MVPZ AND ME-LINCOLN LLC dba BurgerFi at 300 Canopy Street, Suite 150.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

SETTING THE HEARING DATE OF MONDAY, APRIL 17, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF KATRIN ZIMMERMAN FOR BRUNO ENTERPRISES INC. DBA BUFFALO WILD WINGS AT 1328 P STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90348 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Katrin Zimmerman for Bruno Enterprises Inc. dba Buffalo Wild Wings at 1328 P Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

SETTING THE HEARING DATE OF MONDAY, APRIL 17, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF KATRIN ZIMMERMAN FOR BRUNO ENTERPRISES INC. DBA BUFFALO WILD WINGS AT 7301 S. 27<sup>TH</sup> STREET, SUITE 100 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90349 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Katrin Zimmerman for Bruno Enterprises Inc. dba Buffalo Wild Wings at 7301 S. 27<sup>th</sup> Street, Suite 100.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

MANAGER APPLICATION OF CHARLES E. LECORGNE JR. FOR LEVY PREMIUM FOODSERVICE, LP DBA LEVY RESTAURANTS @ HAYMARKET PARK AT 403 LINE CIRCLE DRIVE - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90350 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Charles E. LeCorgne Jr. for Levy Premium Foodservice, LP dba Levy Restaurants @ Haymarket Park at 403 Line Circle Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

SETTING THE HEARING DATE OF MONDAY, APRIL 17, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF ADAM MICHELETTI FOR STAR CITY HOCKEY LLC DBA LINCOLN STARS AT 1880 TRANSFORMATION DRIVE - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90351 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 17, 2017, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Adam Micheletti for Star City Hockey LLC dba Lincoln Stars at 1880 Transformation Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

**PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:**

Administrative Amendment No. 16068 to Special Permit No. 04017, T-Mobile Collocation, approved by the Planning Director on March 21, 2017, to show a third collocation on the existing wireless facility along with a third ground equipment shelter which meets the setbacks of the zoning district, generally located at 4221 J Street.

Administrative Amendment No. 17009 to Use Permit No. 145B, Pine Lake Plaza, approved by the Planning Director on March 21, 2017, to increase the floor area for Lot 6 from 10,000 square feet to 24,000 square feet and the overall center from 209,014 to 223,014 square feet, generally located at South 84<sup>th</sup> Street and Highway 2.

Administrative Amendment No. 17017 to Change or Zone No. 2751B, Van Dorn Acres PUD, approved by the Planning Director on March 21, 2017, to increase the floor area for Building 11 from 5,000 square feet to 6,550 square feet, generally located at South 84<sup>th</sup> and Van Dorn Streets.

Administrative Amendment No. 17023 to Board of Zoning Appeals No. 843, approved by the Planning Director on March 21, 2017, to rescind Board of Zoning Appeals No. 843 permitting a variance in the rear yard for a garage, generally located at 2340 Woodsdale Boulevard.

Administrative Amendment No. 17025 to Administrative Permit No. 00016, Sprint at Mahony Manor, approved by the Planning Director on March 22, 2017, to rescind Administrative Permit No. 00016 for a cellular antennae on Mahoney Manor, generally located at North 61<sup>st</sup> Street and Ballard Avenue..

## LIQUOR RESOLUTIONS

APPLICATION OF HY-VEE INC. DBA HY-VEE RESTAURANT 5 FOR A CLASS I LIQUOR LICENSE AT 7151 STACY LANE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90352 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Hy-Vee, Inc. dba Hy-Vee Restaurant 5 for a Class "I" liquor license at 7151 Stacy Lane, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

MANAGER APPLICATION OF ROBERT A. REIF FOR HY-VEE INC. DBA HY-VEE RESTAURANT 5 AT 7151 STACY LANE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90353 WHEREAS, Hy-Vee, Inc. dba Hy-Vee Restaurant 5 located at 7151 Stacy Lane, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Robert A. Reif be named manager;

WHEREAS, Robert A. Reif appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Robert A. Reif be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF MCFARLAND FAMILY FARMS, LLC DBA MAC'S CREEK VINEYARDS & WINERY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT HAYMARKET FARMERS MARKET AT CANOPY STREET AND Q STREET ON MAY 6, 20, & 27; JUNE 3, 17, & 24; JULY 15, 22, & 29; AND AUGUST 5, 19, & 26, 2017 BETWEEN 8:00 A.M. AND NOON - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90354 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of McFarland Family Farms, LLC dba Mac's Creek Vineyards & Winery for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Haymarket Farmers Market at Canopy Street and Q Street, Lincoln, Nebraska, on May 6, 20, & 27; June 3, 17, & 24; July 15, 22, & 29; and August 5, 19, & 26, 2017, between the hours of 8:00 a.m. and noon, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.

2. Adequate security shall be provided for the event.

3. The area requested for the permit shall be separated from the public by a fence or other means.

4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF MCFARLAND FAMILY FARMS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER BOULEVARD ON MAY 20, 2017 BETWEEN 3:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90355 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of McFarland Family Farms, LLC for a special designated license to cover an outdoor area measuring approximately 60 feet by 90 feet at The Shoppes at Piedmont at 1265 South Cotner Boulevard, Lincoln, Nebraska, on May 20, 2017, between the hours of 3:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 1000 FEET BY 700 FEET PLUS IRREGULAR UPPER LEVEL OF BASEBALL FIELD MEASURING APPROXIMATELY 600 FEET BY 700 FEET INCLUDING A BAR MEASURING APPROXIMATELY 20 FEET BY 12 FEET AND A BUFFET AREA TO THE SOUTH MEASURING APPROXIMATELY 30 FEET BY 25 FEET AT HAYMARKET PARK AT 403 LINE DRIVE CIRCLE ON MAY 25, 2017 BETWEEN 6:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90356 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Whiskey Run Creek Vineyard & Winery, LLC for a special designated license to cover an outdoor area measuring approximately 1000 feet by 700 feet plus irregular upper level of baseball field measuring approximately 600 feet by 700 feet including a bar measuring approximately 20 feet by 12 feet and a buffet area to the south measuring approximately 30 feet by 25 feet at Haymarket Park at 403 Line Drive Circle, Lincoln, Nebraska, on May 25, 2017, between the hours of 6:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF WHISKEY RUN CREEK VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER BOULEVARD ON MAY 20, 2017 BETWEEN 3:00 P.M. AND 11:00 P.M. - PRIOR to reading:

CHRISTENSEN Moved to Delay Public Hearing and Action 1 week to 4/10/17.

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF SMG FOOD & BEVERAGE LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 556 FEET BY 525 FEET AT PERSHING CENTER AT 226 CENTENNIAL MALL SOUTH ON JUNE 30, 2017 BETWEEN 8:00 A.M. AND 1:00 A.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

**REGULAR MEETING  
APRIL 3, 2017  
PAGE 328**

A-90357

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of SMG Food & Beverage LLC for a special designated license to cover an outdoor area measuring approximately 556 feet by 525 feet at Pershing Center at 226 Centennial Mall South, Lincoln, Nebraska, on June 30, 2017, between the hours of 8:00 a.m. and 1:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF MORAN'S LIQUOR WORKS, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 45 FEET AT 3400 A STREET ON APRIL 20; MAY 13, 14, 15, 16, 17, & 18; JUNE 15; JULY 20; AUGUST 17; AND SEPTEMBER 21, 2017 BETWEEN 3:00 P.M. AND 7:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90358

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Moran's Liquor Works, LLC for a special designated license to cover an outdoor area measuring approximately 36 feet by 45 feet at 3400 A Street, Lincoln, Nebraska, on April 20; May 13, 14, 15, 16, 17, & 18; June 15; July 20; August 17; and September 21, 2017, between the hours of 3:00 p.m. and 7:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPLICATION OF EMPYREAN BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN INDOOR AREA MEASURING APPROXIMATELY 70 FEET BY 70 FEET AND AN OUTDOOR AREA MEASURING APPROXIMATELY 50 FEET BY 50 FEET AT 300 SOUTH 7<sup>TH</sup> STREET ON APRIL 20; MAY 18; JUNE 15; JULY 20; AUGUST 17; AND SEPTEMBER 21, 2017 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90359

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Empyrean Brewing Co. for a special designated license to cover an indoor area measuring approximately 70 feet by 70 feet and an outdoor area measuring approximately 50 feet by 50 feet at 300 South 7th Street, Lincoln, Nebraska, on April 20; May 18; June 15; July 20; August 17; and September 21, 2017, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.



**PUBLIC HEARING - RESOLUTIONS**

AMENDING THE LINCOLN-LANCASTER COUNTY AIR POLLUTION CONTROL REGULATIONS AND STANDARDS TO ASSURE CONSISTENCY WITH FEDERAL AND STATE AIR QUALITY REGULATIONS. (3/20/17 - INTRODUCTION DELAYED 1 WEEK TO 3/27/17) - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90360 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Amendments to the Lincoln-Lancaster County Air Pollution Control Regulations and Standards proposed to assure consistency with Federal and State air quality regulations, copies of which are attached hereto and made a part hereof by reference, are hereby approved.

The City Clerk is directed to return a fully executed copy this Resolution and Amendments to Angela Zocholl, Lancaster County Clerk's Office, for filing with the County.

Introduced by Roy Christensen

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND THE LINCOLN POLICE UNION (LPU) FOR A TERM EFFECTIVE AUGUST 11, 2016 THROUGH AUGUST 31, 2019 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90361 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached labor contract between the City of Lincoln and the Lincoln Police Union (LPU) to be effective August 11, 2016 through August 31, 2019, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Roy Christensen

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

**PUBLIC HEARING ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS - NONE.**

APPROVING THE 9<sup>TH</sup> AND O REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND HLI DEVELOPMENT, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY BOUNDED BY 9<sup>TH</sup> STREET ON THE WEST, 10<sup>TH</sup> STREET ON THE EAST, AND O STREET ON THE NORTH. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$14,013,514 IN TIF FUNDS AND \$2,350,000 IN EEA FUNDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) (ACTION DATE: 4/10/17)

AUTHORIZING A TWO PERCENT (2%) OCCUPATION TAX, EFFECTIVE JANUARY 1, 2020, ON GROSS RECEIPTS FOR THE OPERATION OF A GENERAL BUSINESS WITHIN THE DESIGNATED ENHANCED EMPLOYMENT AREA TO BE USED TO PAY FOR CONSTRUCTION AND OPERATION OF TWO HOTELS TO BE LOCATED WITHIN THE 9<sup>TH</sup> AND O REDEVELOPMENT AREA. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, providing for the levy of a general business occupation tax; established definitions; providing for the administration, collections, returns, delinquencies and recovery of unpaid amounts related to such occupation tax; specifying how much tax revenue will be used; providing a sunset provision for the tax; and related matters, the second time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, authorizing the issuance of Tax Allocation Bonds for the 9<sup>th</sup> and O Redevelopment Project, the second time.

AUTHORIZING THE ISSUANCE OF OCCUPATION TAX REVENUE BONDS FOR THE 9<sup>TH</sup> AND O REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-98, 17R-97, 17-47, 17-48, 17-49) - CLERK read an ordinance, introduced by Roy Christensen, authorizing the issuance of Occupation Tax Revenue Bonds for the 9<sup>th</sup> and O Redevelopment Project, the second time.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS**

APPROVING A MASTER LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND MOBILITIE, LLC FOR THE PURPOSE OF INSTALLING, MAINTAINING, AND OPERATING COMMUNICATIONS EQUIPMENT ON CERTAIN CITY OF LINCOLN PROPERTIES, UTILITY POLES, AND/OR FACILITIES - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Master Lease Agreement between the City of Lincoln and Mobilitie, LLC for the purpose of installing, maintaining, and operating communications equipment on certain City of Lincoln properties, utility poles, and/or facilities, the third time.

**REGULAR MEETING  
APRIL 3, 2017  
PAGE 330**

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

The ordinance, being numbered #20474, is recorded in Ordinance Book 32.

CHANGE OF ZONE 16045 – APPLICATION OF EADO, LLC FOR A CHANGE OF ZONE FROM B-4 BUSINESS DISTRICT TO B-4 BUSINESS DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO FOSTER AN URBAN MIXED-USE AREA, INCLUDING OFFICE, RESIDENTIAL, RETAIL, AND OTHER COMMERCIAL ACTIVITIES, ON PROPERTY GENERALLY BOUNDED BY O STREET ON THE NORTH, ANTELOPE CREEK ON THE EAST, K STREET ON THE SOUTH, AND ANTELOPE VALLEY PARKWAY ON THE WEST - PRIOR to reading:

ESKRIDGE Moved to Amend Ordinance No. 20475 (17-44), Change of Zone # CZ16045 Telegraph District PUD, S. 21<sup>st</sup> St & N Street by replacing the Telegraph District B-4 Planned Unit Development Plan (Planning Commission version) and substituting the attached Telegraph District B-4 Planned Unit Development Plan. The new attached version adds the individually permitted 401 Building and 333 building signs, including individually permitted signs text, map and illustrations.

Seconded by Christensen & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

CLERK Read an ordinance, introduced by Jon Camp, repealing Ordinance No. 19988 (COZ 13026) designating Lots 1 and 2, Block 7 and Outlot I, Antelope Valley 2nd Addition as a Planned Unit Development District and approving the 21st & N Planned Unit Development, and amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as amended.

Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

The ordinance, being numbered #20475, is recorded in Ordinance Book 32.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN HAYMARKET DEVELOPMENT CORPORATION TO CONDUCT AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7<sup>TH</sup> STREET FROM P TO Q STREET, P STREET FROM 7<sup>TH</sup> TO 8<sup>TH</sup> STREET, Q STREET FROM 7<sup>TH</sup> TO CANOPY STREET, AND CANOPY STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH OCTOBER 14, 2017; AND ON 8<sup>TH</sup> STREET FROM P TO Q STREET FROM MAY 6, 2017 THROUGH AUGUST 26, 2017 - CLERK read an ordinance, introduced by Jon Camp, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets; P Street from 7th to 8th Streets; Q Street from 7th to Canopy Streets; and Canopy Street from P to Q Streets; from May 6, 2017 through October 14, 2017, and on 8<sup>th</sup> Street from P to Q Street from May 6, 2017 through August 26, 2017, and authorizing the Mayor to sign such Contract on behalf of the City, the third time.

CHRISTENSEN Moved to pass ordinance as read.

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

The ordinance, being numbered #20476, is recorded in Ordinance Book 32.

**RESOLUTIONS - 1<sup>ST</sup> READING**

APPROVING THE RENEWAL OF AN INTERLOCAL SERVICE AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA-LINCOLN FOR HOSTING AND MAINTAINING A PORTAL FOR ONLINE FOOD HANDLER AND CITY ALCOHOL TRAINING PROGRAMS AND PROVIDING TECHNICAL SUPPORT SERVICES.

COMP. PLAN CONFORMANCE 17004 – APPROVING THE PROPOSED COTNER AND P STREET REDEVELOPMENT PLAN ON APPROXIMATELY 11.6 ACRES FOR A 4-STORY MULTI-FAMILY RESIDENTIAL INFILL DEVELOPMENT WITH APPROXIMATELY 153 MARKET-RATE RESIDENTIAL UNITS, AND ASSOCIATED UNDERGROUND AND SURFACE PARKING, ON PROPERTY GENERALLY LOCATED BETWEEN P AND R STREETS, 56<sup>TH</sup> STREET TO NORTH COTNER BOULEVARD.

APPROVING THE NEBRASKA INNOVATION CAMPUS (NIC) PHASE II REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND NEBRASKA NOVA, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED NEAR THE INTERSECTION OF 21<sup>ST</sup> AND TRANSFORMATION DRIVE FOR A NEW THREE STORY OFFICE BUILDING OF APPROXIMATELY 80,000 SQUARE FEET AND RELATED PUBLIC IMPROVEMENTS. (RELATED ITEMS: 17R-101, 17R-102)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$3,116,291 IN TIF FUNDS FOR THE NEBRASKA INNOVATION CAMPUS (NIC) PHASE II PROJECT. (RELATED ITEMS: 17R-101, 17R-102)

**ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (AS REQUIRED)**

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2016 AND DECEMBER 2016 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Carl Eskridge, adopting the supplements to the Lincoln Municipal Code dated June 2016 and December 2016 as part of the official Lincoln Municipal Code, the first time.

ORDINANCE APPROVING A MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT AND PROPERTY SCHEDULE NO. 3 WITH U.S. BANCORP GOVERNMENT LEASING AND FINANCE, INC. AND A RELATED ESCROW AGREEMENT FOR STREET MAINTENANCE EQUIPMENT IN THE AMOUNT OF \$2,232,502.76 - CLERK read an ordinance, introduced by Carl Eskridge, approving a Master Tax-Exempt Lease/Purchase Agreement and Property Schedule No. 3 with U.S. Bancorp Government Leasing and Finance, Inc. and a related escrow agreement for street maintenance equipment in the amount of \$2,232,502.76, the first time. (REQUEST TO HAVE 2<sup>ND</sup> AND 3<sup>RD</sup> READING ON 4/10/17)

APPROVING THE LUMBERWORKS LINER BUILDING REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND LUMBERWORKS LOFTS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED EAST OF CANOPY STREET AND SOUTH OF O STREET ADJACENT TO THE LUMBERWORKS PARKING GARAGE. (RELATED ITEMS: 17R-96, 17R-95, 17-46) (ACTION DATE: 4/17/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$2,041,096 IN TIF FUNDS FOR THE LUMBERWORKS LINER BUILDING REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-96, 17R-95, 17-46) (ACTION DATE: 4/17/17)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE LUMBERWORKS LINER BUILDING REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-96, 17R-95, 17-46) - CLERK read an ordinance, introduced by Carl Eskridge, authorizing the issuance of Tax Allocation Bonds for the Lumberworks Liner Building Redevelopment Project, the first time.

APPROVING THE 11<sup>TH</sup> AND P & LINCOLN COMMERCIAL CLUB REDEVELOPMENT AGREEMENT AMONG THE CITY OF LINCOLN, CAS-NEB-NEDA, LLC, LINCOLN COMMERCIAL CLUB, LLC, AND COMMERCIAL CLUB ENTERPRISES, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 200 NORTH 11<sup>TH</sup> STREET AND 211 NORTH 11<sup>TH</sup> STREET ON THE SOUTHWEST CORNER OF BLOCK 36 AND ADJACENT RIGHT OF WAY. (RELATED ITEMS: 17R-103, 17R-104, 17-53) (ACTION DATE: 4/17/17);

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$1,583,357 IN TIF FUNDS FOR THE 11<sup>TH</sup> AND P & LINCOLN COMMERCIAL CLUB PROJECT. (RELATED ITEMS: 17R-103, 17R-104, 17-53) (ACTION DATE: 4/17/17);

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 11<sup>TH</sup> AND P & LINCOLN COMMERCIAL CLUB REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-103, 17R-104, 17-53) - PRIOR to reading:

CHRISTENSEN Moved to Delay Introduction 1 week to 4/10/17.

Seconded by Lamm & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

TEXT AMENDMENT 16020 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE ZONING CODE BY AMENDING SECTION 27.62.100(C)(2) TO MODIFY THE FRONT AND SIDE YARD SETBACKS FOR CAR SALES AND REMOVE CONDITIONS THAT ARE NO LONGER NEEDED; BY AMENDING SECTION 27.67.040 TO CREATE A NEW PARKING REQUIREMENT FOR MOTORIZED VEHICLE SALES FOR LOTS LESS THAN TWO ACRES; AND REPEALING SECTIONS 27.62.100(C)(2) AND 27.67.040 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Carl Eskridge, amending Title 27 of the Lincoln Municipal Code by amending Section 27.62.100 of the Lincoln Municipal Code relating to motorized vehicle sales to revise conditions for such use in the H-2 and H-3 districts, as a conditional use: by amending Section 27.67.040 to add special parking requirements for motorized vehicle sales and to amend Figure 27.67.040 to include Motorized Vehicle Sales within the list of uses with special parking requirements; and by repealing Section 27.62.100, Section 27.67.040, and Figure 27.67.040 as hitherto existing, the first time.

**ADJOURNMENT**

**4:14 P.M.**

CHRISTENSEN    Moved to adjourn the City Council Meeting of April 3, 2017.  
                          Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor  
                          Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp, Fellers.

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Teresa J. Meier, City Clerk

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Monet J. McCullen, Office Specialist